



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2004408

Applicant Name: John Burbank

Address of Proposal: 10131 Holman Road NW

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of two (2) - story townhouse structures (7 units total) over basement garages for seven vehicles. Project includes demolition of the existing three-unit apartment building.

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non exempt grading or demolition
or involving another agency with jurisdiction.

* Early Notice DNS published May 24, 2001

BACKGROUND INFORMATION

Site Description

The 11,487 square feet site is located on the west-side of Holman Road NW approximately 220 feet from the intersection of NW 103rd Street and Holman Road NW. The site is an irregular shaped property and is described as Lot 10, Block 1, Schellback's Addition to the City of Seattle. The subject site slopes slightly to the west with the steepest section being an area directly behind the existing retaining wall on the west side of Holman Road. The retaining wall appears to have been built during the construction of Holman Road, which resulted in raising a section of Holman Road above the site's actual grade. The site was developed with a four unit residential structure. This building was demolished and removed from site without a demolition permit. There had been some grading and the excavation of an underground tank left an on site depression altering the existing grade at that location. After consultation with DCLU, the applicant was asked to restore the site to its original grade. The subject site is located in Lowrise 2 (L-2) zone. The surrounding zoning to the north, west and southwest is Single Family 7200, to the southeast is Single Family 5000 and LDT zone and C1-40 zone to the northeast. Parcel size, configuration, and streetscape character vary considerably in the immediate zone and vicinity. Development in the immediate zone and vicinity is predominantly a mixture of single family and multifamily residences, with commercial uses along the east side of Holman Road NW.

Proposal Description

The applicant proposes to construct two 2-story buildings, on an 11,487-sq. ft. site, to consist of seven townhouses over basement garages for seven vehicles. The project included the permit application for demolition of an existing three-unit apartment structure. Presently, the site is vacant and it appears that some excavation and grading activity have already been performed on the site.

Public Comment

The comment period began on May 24, 2001 and ended on June 6, 2001. One public comment letter was received. The respondent raised several concerns including; the proliferation of rat population on the Holman site and that they will like to see the rat population disposed of during construction; and concerns about protecting significant trees such as old cedar tree and the very old Japanese Cherry tree. Other concerns included loss of privacy and whether this could be mitigated with the installation of 8-foot tall fence to provide some privacy to the residents to the west of the site.

ANALYSIS - SEPA

The initial disclosure of the potential environmental impacts on this project was made in the threshold determination and environmental checklist prepared by John Burbank on May 24, 2001. The information in the checklist, the supplemental information submitted by the

application, field inspection, public comments and the experience of the lead agency with similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, that "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Several adopted City codes and/or ordinances provide mitigation for identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Ordinance (grading, site excavation and soil erosion); Building Codes (construction standards); and ECA Ordinance. Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of identified impacts. Thus mitigation pursuant to SEPA is not necessary for these impacts. However, more discussion of some of these impacts is appropriate.

Short-term Impacts

The following temporary demolition and construction related impacts are expected; temporary soil erosion; decreased air quality due to dust and other suspended air particulates; increased noise from construction operations and equipment; increased traffic and parking demand from construction personnel; tracking of mud onto adjacent streets by construction vehicles; conflict with normal pedestrian movement adjacent to the site; and consumption of renewable and non-renewable resource. Due to the temporary nature and limited scope of these impacts, they are not considered significant. Although not significant, these impacts are adverse, and in some cases, mitigation is warranted.

Construction Impacts

Some short-term noise impact from demolition and construction is anticipated. Construction noise could result in periodic increases in speech interference and annoyance in surrounding residential buildings. The restriction in the Noise Ordinance will not adequately mitigate construction-related noise on adjacent residential uses. Therefore, in addition to compliance with the Noise Ordinance (SMC 25.05), the applicant will be required to limit construction activity to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m. This condition shall be required pursuant to the SEPA authority to mitigate noise impacts during construction (SMC 25.05.675).

Erosion

Erosion is anticipated during site excavation and grading. Compliance with the Stormwater, Grading and Drainage Control Ordinance, which requires compliance with standard excavation and shoring practice and containment of stormwater runoff from exposed soils, will provide adequate mitigation of erosion impacts (SMC 23.05.675 B. and F).

Street and Sidewalks

It is the City's policy to minimize or prevent adverse traffic impacts that would undermine the stability or safety of the surrounding area (25.05.675R). An excavation permit controls the proposed on-site excavation. The Street Use Ordinance includes regulations, which mitigate dust, mud, and circulation. Temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through Seattle Transportation. In this case, adequate mitigation is provided by the Street Use Ordinance, which regulates and provides for accommodating pedestrian access. Therefore, additional mitigation under SEPA is not warranted.

Construction Parking

During construction, parking demand will increase due to additional demand created by construction personnel and equipment. Off-site parking exists on NW 103rd Street and 3rd Avenue NW. Since these and other nearby streets are not at capacity and can accommodate increased parking demand during construction, no additional mitigation is warranted under SEPA.

Long-term Impacts

Potential long-term or use impacts anticipated by the proposal include: increased height, bulk and scale impacts; increased ambient noise associated with increased human activity and vehicular movement; minor increase in light and glare from exterior lighting, light from windows and from vehicle traffic (headlights); increased traffic and parking demand; increased airborne emissions resulting from additional traffic; increased demand on public services and utilities; and increased energy consumption. These long-term impacts are not considered significant because they are minor in scope. Although not significant, these impacts are adverse and in some cases, mitigation is warranted.

Light and Glare

The proposed project will have exterior lighting, which could affect nearby residents. However, the Land Use Code requirement for shielding and reorienting exterior lighting to minimize impacts on surrounding properties is sufficient mitigation of this impact (SMC 23.45.045). No further mitigation under SEPA is warranted.

Bulk and Scale

The new townhouses will have a maximum height of approximately 35 feet to the top of the roof ridge. The building height will be comparable with single-family buildings in the area. The southeast property line separates the site from the single-family residences west of the site by a green belt hedge and to the north by an existing 6-foot wooden fence. The proposed buildings have 15 feet front setback, 5 feet side and 20.7 feet rear setbacks, with required open spaces. Although the new building may affect local views, neither Seattle's Land Use Code nor Seattle's SEPA Ordinance provides for the protection private views. The anticipated aesthetic or bulk and scale impacts are adequately mitigated by the requirements of the Land Use Code, including landscaping. There are no unusual conditions and, therefore, no further mitigation is necessary under SEPA.

Parking

The site plan indicates that seven parking spaces would be provided in basement parking garage. The Land Use Code requires seven parking spaces for this seven unit residential building.

In the experience of DCLU, peak-parking demand for residential projects in multifamily zone has been based on the average rate of 1.5 spaces per household. It is estimated that peak parking demand for seven unit residential project would occur during the day in both weekdays and weekends. Peak parking demand for the proposed seven-unit apartment is estimated to be 10 parking spaces. With seven parking spaces provided on-site, there would be spill over parking demand of three vehicles onto city streets. It is anticipated that three vehicles would be accommodated on adjacent NW 103rd Street because the street is not at full capacity. Based on the above analysis no unusual parking condition exists that warrants additional parking mitigation under SEPA.

Traffic

The seven units are expected to generate 46 daily trips, with three trips in the a.m. peak hour and four trips in the p.m. peak hour. This is not expected to have a significant adverse impact on traffic conditions or reduce the level of service at nearby intersections. Therefore, no mitigation under SEPA is warranted for this project.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance: This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

CONDITIONS SEPA

During Construction

The following conditions to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from street right-of-way. If more than one street abuts the site conditions shall be posted at each street. The conditions will be affixed to placards prepared by DCLU. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

The owner and/or responsible party(s) shall

1. Limit the hours of construction of any activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. Limited work on weekdays between 6:30 a.m. and 7:30 a.m. and 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior written approval is secured from the Land Use Review section. Such after hours work shall be limited to emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impacts; activities that do require heavy equipment, or work which would substantially shorten the overall construction timetable. Such limited after hours work will be strictly conditioned upon the owner(s) and/or responsible party(s) providing prior written notice sufficient in DCLU's view to allow DCLU to evaluate the request.

Signature: (signature on file) Date: August 11, 2003
Christopher A. Ndifon, Land Use Planner
Department of Design, Construction & Land Use.
Land Use Division

CAN: vc

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